

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Paul Alexander DE VRIES et al.

Conf. No.: 1674

Application No.: 10/516,888

Examiners: McGuthry Banks, Tima Michele

Filed: December 3, 2004

Art Unit: 1793

For: METHOD FOR FRACTIONAL CRYSTALLIZATION OF METAL

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

This subject Information Disclosure Statement is submitted in connection with applicants' continuing duty of disclosure under 37 C.F.R. §1.56.

This IDS is submitted with a Request for Continued Examination pursuant to 37 C.F.R. §1.97(b)(4).

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account 14.1437. Please credit any excess fees to such account.

LISTING OF RELEVANT DOCUMENTS

The relevant documents are listed in the attached Form PTO/SB/08.

REMARKS

The references cited in this IDS are: GB 885,503, and GB974829. Both references are written in the English language.

Applicants present these references so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see

Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rule 104. Applicants respectfully request that these references be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made, or an admission that the information cited is, or is considered to be, material to patentability, or that the information is analogous to the subject matter of the present invention, or that no other material information exists. Further, the filing of this information disclosure statement shall not be construed as an admission against interest in any manner.

Applicants also mention: a Notice of Allowance was issued in US Application No. 10/488,042 on June 02, 2008; and a final rejection was mailed in US Application 10/516,889 on May 30, 2008 having common inventorship with the present application. Copies of these documents are enclosed.

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